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THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

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"Unfortunately, grave evils such as the Narcotics traffic can too easily cause threats to our basic liberties by making attractive the adoption of constitutionally forbidden shortcuts that might suppress and blot out more quickly the unpopular and dangerous conduct."

TREATISE

The following Theory of Ancient Law, Constitution Law, and Strategy of Argument, Presents a Convincing, and the Author believes, a Conclusive Argument, to support the notion that the above Quote in Mr. Justice HUGO BLACK'S dissenting Opinion in Turner v. U.S.; 396 US 398 (1970) is Exactly the course of action that the Executive and Judicial Branches of the Central Government have knowingly, and with malicious intent, 'chosen' to 'enforce' and 'punish' any person in order to Conduct America's Moralistic "WAR on DRUGS".

America's drug-war is Conducted under the Authority and Provisions of "THE COMPREHENSIVE DRUG ABUSE PREVENTION and CONTROL ACT of 1970", (short Title Controlled Substance Act), Signed into Public Law: 91-513 by President NIXON on October 27, 1970, and Codified into the "FOOD and DRUGS ACT" of Title 21, United States Code, Section(s) 801., thru 971.

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

The Central Government of the United States, Specifically, the Executive and Judicial Branches, have, since November 1, 1970, and for 38-years, Conducted America's "WAR on DRUGS" against **any person*** under color of prima facia law that is no LAW at all! Ostensibly . . .

To deal with the growing menace of the proliferation of "prescription-drugs" by unscrupulous practitioner(s) and professional(s) in the medical field;

The Ninety-First Congress made "findings and declarations" that drugs, narcotics, and hallucinates, now redefined as controlled substances, "either flow through interstate or foreign commerce [and] they have a substantial and direct effect upon interstate commerce" in order to 'regulate' the commerce in drugs and narcotics "with foreign Nations and among the several States", Article I., Section 8., Clause 3., of the Constitution.

Congress authorized the Attorney General to promulgate rules and regulations for "regulated persons and regulated transactions" in controlled substances for persons who voluntarily, Applied, Qualified, and paid the required fee for federal jurisdiction to

* Hereafter, any person in BOLD with an asterisk means **any person*** at random, Citizen or Foreign National, on this Planet or the Space Station, since the Statute in question (§ 841) Identifies no boundries of ambit or Origin of Authority.

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

be federally 'regulated' in the Closed Commercial System of controlled substances.

To 'enforce' the rules and regulations promulgated by the Attorney General, Congress Enacted the Statute, Section 841, in relevant part below, that describes and defines the OFFENSES and PENALTIES for a "violation" or the 'breach' of a 'real-contract' where money changed hands between the 'regulated person' and the Attorney General.

OFFENSES and PENALTIES

§ 841. Prohibited acts A

Unlawful acts

"(a) Except as authorized by this subchapter, it shall be unlawful for any person knowingly or intentionally —

(1) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance, or;

(b) Penalties

[A]ny person who violates subsection (a) of this section shall be punished as follows;"

The Statute, Section 841., need NOT comply with the Fifth Amendment's "due process of law" clause to inform the accused of the "nature and cause of the accusation" Guaranteed by the Sixth Amendment because federal jurisdiction in personam to arrest, prosecute, hear, adjudicate, and punish, any person alleged to be "in violation of Title 21, United States Code, Section 841(a)(1)" is really in Material Breach of a "Signed Contract" between the accused and the Attorney General for breach of which, Section 841(b)., prescribes the remedy or penalty.

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

That is to say then . . .

The bifurcated and cryptic statutes of Title 21, United States Code, Section (s) 801., thru 904., and in particular, Section 841., the "controlling statute" Utilized by the Executive and Judicial Branches to Conduct America's "WAR on DRUGS", really describes and defines the OFFENSES and PENALTIES for a Material Breach of Contract between the accused and the Attorney General . . . all others are exempt! PROOF?

The Statute, Section 841., is a 'negative' Statute that makes it UNLAWFUL "for any person knowingly or intentionally" to possess, manufacture, distribute, or dispense, a controlled substance, "Except as authorized by this subchapter" [§ 822(b)]

The 'positive' of which, makes it LAWFUL "for any person knowingly or intentionally" to possess, manufacture, distribute, or dispense, a controlled substance, "to the extent authorized by their registration". [§ 822(b)]

ALL OTHERS ARE EXEMPT!

Careful analysis of Supreme Court Opinions and district Court transcripts of Jury Instructions reveal that at least since U.S. v. Moore; 46 L Ed 2d 333 @ 337 (1975) when Mr. Justice POWELL Opined; "that section [§ 841(a)(1)] by its terms reaches 'any person' and does not exempt 'all registrants' or 'all persons registered under the act'", the Judicial has "ADVERTISED" and

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

the Executive has "ENFORCED" the prima facia Statute, Section 841., as a "COMMON LAW" that makes it;

"Unlawful for any person* knowingly or intentionally to possess, manufacture, distribute, or dispense, a controlled substance;"

The above truncated-version is NOT ONLY a fabricated lie, it is an UN-constitutional Amendment to a Congressionally Enacted Statute that "IMPLIES" that some KING, DICTATOR, or TYRANT, has ISSUED a DECREE or EDICT, that declares certain conduct by any person* at random, to be UNLAWFUL but Common Sense dictates that IF it were really UNLAWFUL for any person* to possess, manufacture, distribute, or dispense, drugs, narcotics, or hallucinates;

There would be no point in stopping by the neighborhood drug store to pick-up the 'miracle-drugs' the family doctor prescribed because both the doctor and the pharmacist are in federal prison and moreover, there would be NO 'miracle drugs' available anywhere in this Nation!

IF it takes an Amendment to the Constitution to make it UNLAWFUL to marry a person of the same sex, or UNLAWFUL to burn the American flag, which stands for the 'right' to burn it, or UNLAWFUL to possess, manufacture, distribute, or dispense, alcohol, (prohibition) Amendment XIII, and Repealed, Amendment XXI;

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

The Question then becomes . . .

How could Congress . . . constitutionally . . . pass a law that PROHIBITS, FORBIDS, and makes it UNLAWFUL, for any person* to plant, cultivate, harvest, buy, sell, or ingest by whatever method and for whatever purpose, the dreaded killer-weed, marijuana?

The answer is of course, The Ninety-First Congress didn't, The Executive and Judicial did, by "ADVERTISING" and "ENFORCING" THE DOCTRINE of CONSTRUCTIVE IMPLICATION!

Since the Supreme Court destroyed Congress' Power to "TAX" marijuana, the ONLY Enumerated Power left to Control the growing menace of drugs, narcotics, and "Mexican-pot", (1969) would be Congress' Power; "To regulate Commerce with foreign Nations and among the several States..." (Art., I., Sec., 8., cl., 3.,)

Congress 'authorized' the Attorney General to promulgate rules and regulations for 'regulated' persons and of 'regulated' transactions for Persons who were already 'licensed' by State and Local Laws in the Commerce of drugs and narcotics, and who 'voluntarily' Applied, (D E A FORM 224 A) and complied with applicable State and Local Laws, were approved, paid the required fee, and Signed an Agreement for federal jurisdiction to be federally 'regulated' in the Closed Commercial System of drugs, narcotics, and hallucinates, and . . .

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

To 'Enforce' the Contractual Agreement between the 'regulated person' and the Attorney General, the Ninety-First Congress Enacted the Statute, Section 841., that describes and defines the OFFENSES of a 'broken-promise' or breach of the Contractual Agreement for which the law or, Section 841(b)., prescribes the remedy and/or Penalties.

The federal jurisdiction to arrest, prosecute, hear, adjudicate, and impose punishment, upon any person alleged to be "in violation of Title 21, United States Code, Section 841(a)(1)", comes NOT from any 'authority' conferred by the Constitution or by the Statute, Section 841., but rather, from a 'real contract' between two parties, the 'regulated person' and the Attorney General, in which money changed hands creating Obligations that are enforceable and for which, the law gives a remedy, in the instant case, Section 841(b).

That is exactly WHY the Statute, Section 841(a)(1)., is not required...constitutionally...to identify the federal jurisdiction element or any other constitutional protections Guaranteed by the Original Ten (10) Articles of Amendment to the Constitution.

Since A Material Breach of Contract is a "Civil Matter", the accused is not favored by the "presumption of innocence" nor protected by the Guarantees of the Fifth Amendment's "due process

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

of law" clause or the Sixth Amendment's requirement to be "informed of the nature and cause of the accusation" and the proof "beyond a reasonable doubt" of a breach of contract allegation is "reversed" from the accuser to the accused and *Onus Probandi* becomes the Actor for the accused to fashion an affirmative defense in order to prove that h/she is not guilty of the alleged breach.

Synopsis:

The written words of the Framers of Our Constitution and the Original Ten Articles of Amendment thereto, provide self-evidence that they were too wise, too pragmatic, and too familiar with TYRANNY to attempt to safe-guard Our Personal Liberty with broad and flexible "Terms of Art" and "TOXIC WORDS" like 'registered', 'registrant', 'regulated', 'authorized', 'controlled', 'substance', and/or 'any person';

"Our Constitution was not written in the sands to be washed away by each new wave of new judges blown in by each successive political wind that brings new political administrations into 'temporary powers'." (Mr. Justice BLACK, Turner; Id. @ -1-)

To be Precise . . .

THERE IS NO Congressionally Enacted Federal Criminal Statute, or "[l]aws of the United States", or Common Law, standing alone or bundled together, that would PROHIBIT, FORBID, or

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

make it UNLAWFUL, for any person* to possess, manufacture, distribute, or dispense, drugs, narcotics, hallucinates, or "controlled substances" . . . whatever "THEY" are. (State and Local Laws notwithstanding)

CONCLUSION

For nearly 40-years, the Executive and Judicial Branches of the Government of the United States, have Combined, Conspired, and had/have tacit agreement, to "take-away" the Life, Liberty, and Property, of nearly a Million Men and Women, Citizen and Foreign National alike, from nearly every Nation on this Planet, in a Continuing Criminal Enterprize under color of a "prima facie law" and THE DOCTRINE OF CONSTRUCTIVE IMPLICATION . . .

- In violation of the People's Perpetual Protections Secured by the Constitution for the United States;
 - In violation of the Original Ten Articles of Amendment thereto, Especially, the Fifth and Sixth Amendments;
 - In violation of Title 18, United States Code, Section 241., Conspiracy against rights, and;
 - In violation of Title 18, United States Code, Section 242., Deprivation of rights under color of law.
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This is a violation of the Framers's Intent, Contrary to the Spirit and Tone of the Constitution by Elected and Appointed Public Officials who placed their left hand on the Bible and raised their Right hand to GOD to "Solemnly Swear to faithfully***

THE DOCTRINE OF CONSTRUCTIVE IMPLICATION
(A Racketeer Influenced and Corrupt Organization)

perform all the duties incumbent * * * under the Constitution and laws of the United States * * * so help me GOD"!

The Principles in this Act of Betrayal ALL... have a law degree and ALL... know, or should know, what You the Reader have just learned, which...

Renders America's Moralistic "WAR on DRUGS" the most repugnant FRAUD ever perpetrated by a Government against its Own People and "the Blessings of Liberty"... for unjust enrichment... for 40-years... World Wide... and with dead-bodies on both sides... Elevates this Criminal Enterprize to;

"A RACKETEER INFLUENCED AND CORRUPT ORGANIZATION!"

Disclaimer:

To prove the foregoing Theory of Constitution law and Strategy of Argument WRONG...ANY PERSON...of Authority, need ONLY come forward and Present the text of language (not a conclusion of law or Congressional Intent), but the EXACT language in the text of the Constitution for the United States or in the text of the bifurcated and cryptic statutes of Title 21, United States Code, Section(s) 801., thru 904., of the CONTROLLED SUBSTANCE ACT of 1970, that confer's federal jurisdiction in personam to arrest, prosecute, hear, adjudicate, and punish, any person* **NOT registered** for Conduct "in violation of subsection (a)"!

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